

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-ninth Session
March 7, 2017**

The Senate Committee on Education was called to order by Chair Moises Denis at 3:43 p.m. on Tuesday, March 7, 2017, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Joyce Woodhouse, Vice Chair
Senator Tick Segerblom
Senator Pat Spearman
Senator Don Gustavson
Senator Scott Hammond
Senator Becky Harris

GUEST LEGISLATORS PRESENT:

Senator Patricia Farley, Senatorial District No. 8

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Irma Fernandez, Intern to Assemblywoman Irene Bustamante Adams
Asher Killian, Counsel
Shelley Kyle, Committee Secretary

OTHERS PRESENT:

Ciara Byrne, Co-Executive Director, Green Our Planet
Nicole Rourke, Associate Superintendent, Community and Government Relations, Clark County School District
Pat Skorkowsky, Superintendent, Clark County School District; President, Nevada Association of School Superintendents

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Kyle Davis, Nevada Conservation League
Mary Pierczynski, Nevada Association of School Superintendents; Nevada
Association of School Administrators
Donna West
Lindsay Anderson, Director, Government Affairs, Washoe County School District
Jodi Tyson, Three Square; Food Bank of Northern Nevada
Chris Daly, Nevada State Education Association
Ed Gonzalez, Clark County Education Association
Jim R. Barbee, Director, Department of Agriculture
David Jensen, Superintendent, Humboldt County School District
Richard Stokes, Superintendent, Carson City School District
Traci Davis, Superintendent, Washoe County School District
Wayne Workman, Superintendent, Lyon County School District
Cesar Melgarejo, Veterans Policy Analyst, Office of the Governor
Bruno Moya, University of Nevada, Las Vegas Rebel Veterans, Iraq and
Afghanistan Veterans of America
Richard Carreon, Nevada Veteran's Association
Christopher D. Brown, Director, Veterans Affairs, College of Southern Nevada
Kevin Burns, Chairman, United Veterans Legislative Council
Luis F. Valera, Vice President, Government Affairs and Compliance, University
of Nevada, Las Vegas
Constance Brooks, Vice Chancellor, Government and Community Affairs,
Nevada System of Higher Education
James Campos, Senior Advisor, Economic Development and Business Outreach,
Nevada State College
Brad Keating, Clark County School District
Olivia Espinoza, AzulBlue: United by Autism
Marianne C. Lanuti, Lanuti Legal Services
Valerie Martini
Theodore Small, Vice President, Clark County Education Association
Luis Villalobos
Luz Elena Garcia
Stacy Mendoza
John Vellardita, Executive Director, Clark County Education Association
Angie Sullivan

CHAIR DENIS:

I will now introduce two Committee bill draft requests (BDR), BDR 34-326 and
BDR 34-328.

BILL DRAFT REQUEST 34-326: Revises provisions relating to education reporting requirements. (Later introduced as [Senate Bill 247](#).)

SENATOR GUSTAVSON MOVED TO INTRODUCE BDR 34-326.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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BILL DRAFT REQUEST 34-328: Revises provisions relating to pupils with disabilities. (Later introduced as [Senate Bill 248](#).)

SENATOR WOODHOUSE MOVED TO INTRODUCE BDR 34-328.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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I will open the hearing on Senate Bill (S.B.) 167).

SENATE BILL 167: Makes an appropriation for the creation and maintenance of school gardens. (BDR S-834)

SENATOR PATRICIA FARLEY (Senatorial District No. 8):

I am Patricia Farley, representing Senatorial District No. 8 in Clark County. I am here to present Senate Bill 167 which would provide funding to support the creation and maintenance of school garden programs in Nevada Title I schools. You have been given a proposed amendment to the bill to change the fund oversight from the Department of Education to the Department of Agriculture ([Exhibit C](#)).

During the 2013 Legislative Session, A.B. No. 337 of the 77th Session was approved, which strongly encouraged the leadership of Nevada's school districts to ensure that each school participates in the federal Fresh Fruit and Vegetable Program. This federal program exposes students to a wide variety of fresh fruits

and vegetables in the hope that they will develop healthy eating habits. I have submitted my written testimony ([Exhibit D](#)).

Assembly Bill No. 337 of the 77th Session also encouraged the establishment of a farm-to-school program and a school garden program to promote the consumption of fresh fruits and vegetables. Farm-to-school is a program through which schools utilize locally produced foods such as beans, eggs, fruits, honey, meat, and vegetables for school menus. Schools incorporate nutrition-based curriculums and provide students with experiential learning opportunities, such as farm visits and garden-based learning.

Garden-based learning is the focus of S.B. 167. School garden programs are powerful learning tools for science, technology, engineering, and mathematics (STEM) educational programs. Schools with high percentages of students in high poverty areas create and maintain gardens to improve student health, student engagement, and ultimately, academic achievement.

In an evaluative review of the benefits of school gardening by a professor at Pennsylvania State University, it was found that when integrating environment fieldwork into the curriculum, there are measurable and observable changes in student achievement and behavior.

Although, as with many research studies, there are methodological shortcomings such as small sample sizes. The findings are quite promising and support the conclusion that school gardening can improve student test scores and school behavior. Some of the findings indicate:

- In 9 out of 12 quantitative studies, increased science achievement and behavioral improvements were found in schools that used school gardening as the integrated context for learning.
- In addition, nine qualitative studies unanimously reported positive learning and behavior effects of school gardening or garden involvement.
- Studies have also shown a positive impact of outdoor gardening or nature programs on higher order cognitive skills.
- Teacher surveys showed that academic achievement, particularly in the area of science, was the most frequently cited reason for using school gardens.

Section 1 appropriates \$410,000 in fiscal year (FY) 2017–2018 and \$205,000 in FY 2018–2019 for schools to create and maintain school gardens. This funding would be administered by Nevada’s Department of Education (NDE) to provide grants of funding to Title I schools that meet certain qualifications. Grants of funds would be up to \$10,000 each in the first year of the biennium and up to \$5,000 each to maintain the garden in the second year of the biennium.

In order to qualify for funding, each school must do the following: create and maintain a school garden; develop a curriculum relating to the school garden that pertains to Nevada and its desert environment; include garden projects that relate to STEM and involve classroom and tactile learning experiences; include assistance from members of the community that have experience with food education, such as local farmers and local chefs; provide students with the ability to operate a farmer’s market to sell the produce from the school garden; and provide the opportunity for students to see how a meal is cooked using the produce grown from the school garden.

Generally, for each school, \$7,000 supports building the program. For example, removing grass, making raised vegetable gardens, planting fruit trees, providing benches, and school curriculum areas, etc.

The remaining funds support a farmer for 12 months of the year. The farmer maintains the gardens weekly and administers workshops and activities for the program.

Please understand there is no federal funding available to support these programs. Federal funding through the United States Department of Agriculture’s child nutrition programs is not authorized to support the construction of school gardens or greenhouses.

Section 2 provides that the measure is effective on July 1.

There are currently over 100 school gardens in Nevada, ranging in size from large, full production greenhouses to small container gardens. There are model programs in both northern and southern Nevada.

I will introduce Ms. Ciara Byrne with Green Our Planet. This not-for-profit organization runs the largest school garden program in the United States and

currently helps schools in the Clark County School District (CCSD) reach its goals with school garden programs.

I urge your support of this legislation to provide a nutrition program to our most in-need students. This will support student health, student engagement, and ultimately, student academic achievement.

SENATOR GUSTAVSON:

How well do school gardens do in northern Nevada? Southern Nevada is an entirely different climate than we have in northern Nevada. In winter, it is difficult to grow a garden during the school year.

If the foodstuff is used in the school classroom and/or cafeteria, it is hard to do with our growing season in northern Nevada. Will the products be harvested in the summer and frozen to be used later when school is in session?

SENATOR FARLEY:

I will answer your question later if not answered by Ms. Byrne's testimony. I would like to ask Ciara Byrne, co-executive director of Green Our Planet, to talk about the curriculum, funding and the impact such programs have on students.

CIARA BYRNE (Co-Executive Director, Green Our Planet):

I am in support of S.B. 167. There are 100,000 school gardens in the United States. In 2006, 11,000 schools had school gardens; in 2012, 26,000 schools had school gardens; today, over 40,000 schools have school gardens.

In 2013, we started Green Our Planet in Nevada, and 30 schools in the CCSD had school gardens. Today, over 150 schools have school gardens. Clearly, there is a school garden movement sweeping across not only Nevada, but across the United States. I have submitted an outline of our outdoor garden classroom program ([Exhibit E](#)).

Just before Christmas last year, Senator Farley and I were touring some of our school gardens in Clark County. We were walking with a teacher around one of the schools and she said to us, "We have a problem with attendance here at our school and we have been working hard to improve the problem. What we noticed is students never miss school when they have garden class."

A teacher from another school said to me, "We have a problem with runners at our school. Runners are students who run away from school during the school day, usually off the school grounds. Now, when we receive a call saying we have a runner, I head straight to the school garden. That is where the runners are going."

What teachers and principals are recognizing is that students are engaged by the school gardens. Students love being in the gardens and find them to be sanctuaries. As a result, learning how to make soil in the garden, how to grow food, how to cook the food and how to harvest rainwater is fun for students. They learn better, and as a result, the students test better.

School gardens improve student academic achievement. We also have an obesity epidemic in our Country. Four hundred thousand people die every year from obesity-related diseases.

Nineteen percent of our Gross Domestic Product for the entire Country was spent on health care last year, and over 25 percent of that was directly for obesity-related diseases.

One part of the solution has to be education. The best way to educate students to eat better is to help them grow their own food that is healthy and teach them how to cook it so they can eat it. School gardens improve student health. School gardens help improve community engagement at schools.

I have been in many schools in Clark County over the last four years, where I have seen parents who normally had a hard time engaging at the school, who are now coming into the garden, helping with gardening, painting the murals at the school, coming to the farmers' markets that were run by the ten-year-olds and buying food.

One of the schools we work with, Crestwood Elementary School in downtown Las Vegas, saw an enormous increase in community engagement at the school.

Senate Bill 167 is a unique opportunity for Nevada. Together with some of the best practices Green Our Planet has created, we can work with the State Department of Agriculture (NDA), with Urban Roots, a gardening group in northern Nevada and with school districts in rural areas to create a garden at every school that wants one. We can make our program in Nevada the best in

the United States. My presentation before you shows how we will do that ([Exhibit F](#)).

This is a comprehensive and fun curriculum and ultimately leads to the culture of the school changing in a positive way. Farmers' markets are held at the schools, but sometimes schools go outside the school perimeter.

Another important reason the program is successful is we carry out teacher training. In 2015, the No. 1 reason teachers said they were nervous about using the garden was because they were not trained to use the new curriculum. This past year, we have trained over 400 teachers.

We also have conferences in our State twice a year. In southern Nevada, the conference will be April 29, 2017, and northern Nevada will have a conference in January 2018. We have 300 teachers come together and share their stories of what is working in their gardens. Principals come together and share best practices.

The University of Nevada, Las Vegas (UNLV), Division of Health Sciences conducted a survey a year ago. The survey found that 92 percent of educators in the CCSD reported gardens improved nutrition knowledge; 80 percent reported the gardens were a powerful learning tool; 78 percent reported the gardens increased community engagement; and 87 percent reported the gardens were fun for teachers and students. One of Superintendent Skorkowsky's goals is to make sure teachers and students are happy and have fun in his school district.

To conclude, I would like to share why I left my job as the CEO of a successful film production company. Together with my partner, Kim MacQuarrie, I formed Green Our Planet, and we continue to do this after four years.

It is not because it improves students' academic achievement, although it does, and it is not because gardens improve students' health, because they do. It is not even because of community engagement.

I do this because students go to school because of the gardens. I do this because the runners go to the garden. There are students who have difficult lives and live in homes where there is no greenery, no butterflies and no bees. That is why they go to the garden.

I have had the privilege of seeing thousands of students learning in the garden and I have seen how excited, hopeful and happy they are. I have seen how happy the teachers are. The school gardens are a beacon of hope for the CCSD.

To answer Senator Gustavson's question about gardens in northern Nevada, I know less about the gardens in northern Nevada. What I do know is, we have started to think about the gardens less as being just outdoor spaces but like all kinds of growing systems.

We have a pilot program going at two schools in the CCSD where food is grown hydroponically. If we were to work with Urban Roots and other programs in northern Nevada, we would encourage them to use hydroponics to overcome the long winters. Food could be grown throughout the year and used in the cafeteria for the students to eat. That is what I would encourage.

SENATOR GUSTAVSON:

For the gardens I have seen and visited, this is a great program. Funding is often a problem and the gardens would be adding more to our school districts' curriculum. There are many things that could be added to our schools. What we can and cannot do, becomes the question.

SENATOR FARLEY:

I toured five schools in the CCSD and have not seen any of the schools in northern Nevada. In the CCSD, the teachers began teaching the classes in an outdoor classroom; the class then went into the garden. I asked the teachers how the program had made a difference for them. Some replied that the program had reignited their passion to teach.

All schools struggle with parental engagement. Our tours began early in the morning when parents were bringing their kids to school. Some parents would tour the garden. During the summer, many parents took it upon themselves to take care of the garden so it would be healthy when students returned to school after the summer break. For these reasons, we need programs like school gardens.

SENATOR DENIS:

We have seen success in the CCSD going from a few gardens to many gardens. What additional things will help foster this bill?

SENATOR FARLEY:

Initially, it will begin with funding. Money has been raised privately and there are requests for gardens that cannot be met. The program would need to have more coordinators, hire farmers and get staff out to continue programs and assist the schools.

MS. BYRNE:

I have had calls from teachers in Washoe County who are interested in using our curriculum. I have not had the resources to work with Urban Roots in northern Nevada. I would like to work with them and the NDA to ensure the curriculum can be used in northern Nevada and that teacher training can happen in rural Nevada and in northern Nevada.

CHAIR DENIS:

We will now hear from those in support of S.B. 167.

NICOLE ROURKE (Associate Superintendent, Community and Government Relations, Clark County School District):

The CCSD is in support of S.B. 167 given the fact we have many school gardens. We see the bill as a resource for other schools.

I have submitted a supporting document ([Exhibit G](#)) showing what special education teacher Jennifer Davis is doing with her class at Desert Oasis High School in the CCSD. She has developed a curriculum for vocational skills for her autism class.

There is exciting work happening in all levels of the CCSD school gardens. We have developed a guide for schools to use as they plan their school gardens. The guide contains questions and lessons learned from other schools and includes transitions to new staff and other helpful information.

SENATOR HAMMOND:

The gardens are a way to fit the standards we have into the curriculum. We are not talking about adding extra to the curriculum. Can you confirm this is not adding more to a teacher's day?

MS. ROURKE:

We see this as a way for engagement. Instead of kids learning about the water cycle by planting a seed in a cup and taking it home, they can go to the outdoor

classroom and see the same examples with various plants in the school garden. There are many examples in the curriculum that match the current standards. That is why the emphasis on STEM and science, technology, engineering, arts and mathematics is so important with gardens.

SENATOR HAMMOND:

The same sort of curriculum was once delivered by the Future Farmers of America (FFA). Do they still have a presence in schools?

Ms. ROURKE:

There is a large presence in Moapa Valley.

PAT SKORKOWSKY (Superintendent, Clark County School District):

We do have programs in our schools that promote the FFA. Arbor View High School is one example with Gilcrease Orchard and the farm nearby. The culinary programs go over and help with the harvest, help with orchard work and farm work. We have those partnerships across the valley in different locations.

It is not the FFA curriculum of the past. It has taken the curriculum to a new level. It is changing our culinary programs from farm to table.

SENATOR HAMMOND:

I like this kind of program. It engages the kids because they are excited about the class and they come to school.

IRMA FERNANDEZ (Intern to Assemblywoman Irene Bustamante Adams):

Assemblywoman Bustamante Adams wants the record to reflect her thoughts. She has seen firsthand the return on investment of school gardens in a variety of ways. In addition to bringing science lessons to life, the gardens teach students about work ethic, leadership and patience. She is excited to be a cosponsor of S.B. 167 and hopes to see more school gardens across all of Nevada.

On a personal note, I have seen the impact of gardening firsthand through a group called Euclid Garden in San Francisco. They build gardens in group homes. I am excited to see this idea expand to my new home of Nevada.

KYLE DAVIS (Nevada Conservation League):

I am representing the Nevada Conservation League. We are in support of S.B. 167. Many of the reasons why this bill is a worthy piece of legislation have been mentioned in earlier testimony. Anything to encourage kids to be outside, in touch with and understanding our natural world will build an appreciation for the natural world and natural resources.

SENATOR HAMMOND:

This is great what we are doing with agriculture and farming. Do you think there would be a benefit when kids would go out in nature? A lesson, I received, was going hunting in the fall. Mr. Davis, what are your thoughts on that?

MR. DAVIS:

There is a lot of value in that. An organization in Reno, Sierra Nevada Journeys, works to get kids outside with those type of programs. Also, there is a youth camp where kids learn outdoor skills. This type of learning is incredibly valuable for kids.

MARY PIERCZYNSKI (Nevada Association of School Superintendents; Nevada Association of School Administrators):

I am representing the Nevada Association of School Superintendents (NASS) and the Nevada Association of School Administrators (NASA). We are in support of S.B. 167 and appreciate the fact school gardens is a voluntary program and the bill provides some funding to get started on the gardens. Some of our rural districts have gardens. At the high school level, many of them are greenhouse gardens. This is a good opportunity for FFA to get started in the schools.

DONNA WEST:

My name is Donna West, a 43-year resident of Nevada, an active volunteer and urban farmer.

I was raised in Lancaster County, Pennsylvania where we had a family farm. I grew up with the experience of seeing food grow, harvesting it, shucking corn, putting it into a big pot to boil and eating it right away.

I moved to Las Vegas and raised my daughter here before the advent of school gardens. As a family, we started urban gardening here growing fruits, vegetables and herbs in our yard so my daughter would have the experience of

understanding where her food came from, the nutritional value of fresh food and the experience of eating what we had grown.

I have volunteered at local schools helping children put a seed into the ground and seeing the miracle of what water and sunshine will do to the seed. The children see the plants sprout and grow before their eyes.

There is nothing like being at a school with children when it is harvest time. To see the amazing joy in a child's eyes as he or she pulls a carrot or a beet from the ground for the very first time; then to be told he or she can take the vegetable home and make it part of his or her meal.

I have seen some of our local chefs teach our children and even in some cases, at special events, their parents, how to cook nutritional meals. Local chefs have been sending home healthy recipes to families that help our overall nutrition.

I have gone to some of the school gardens' farmers' markets and purchased vegetables the children have grown with such pride. To know the money the children raise from the sale of their produce can be used for gardening supplies that will help them supplement the soil and to purchase seeds for next year's garden as they make plans is rewarding.

School gardens are an important part of the curriculum. They teach science and nutrition. They help build a sense of community in the schools. They give our children a hands-on learning experience of where their food comes from and a chance to learn about healthy nutrition. I urge your support of S.B. 167.

LINDSAY ANDERSON (Director, Government Affairs, Washoe County School District):

The Washoe County School District (WCSD) is in support of S.B. 167 because of two key items. We appreciate that schools can opt in if school gardens fit in their curriculums; and there is an appropriation which is good for a bill like this.

In response to your earlier question, Senator Gustavson, we have approximately five elementary schools with school gardens. We have a robust school garden committee that includes people from our academic side and also people from the operational side. This committee deals with maintenance, water and cleanup and continues the work when school is off session in the summertime.

JODI TYSON (Three Square; Food Bank of Northern Nevada):

The Three Square food bank has been a close partner with Green Our Planet. We appreciate the fact they focus on Title I schools. That is where the connection comes in with the Three Square food bank because these Title I schools have the after-school programs for nutrition.

In low-income schools, kids not only get the options of three meals: breakfast, lunch and an after-school meal, they receive education about nutrition that they will remember throughout their lives.

In the after-school programs for the schools that have gardens, we try to include an educational piece in our after-school meal program that ties back into the garden. For example, during the growing season for pumpkins, the children might have pumpkin seeds in their salads.

It is all about the symbiotic relationship to reinforce things the children are learning in their programs. In the after-school programs, they are receiving information, too. We are here in support of S.B. 167.

CHRIS DALY (Nevada State Education Association):

I am representing the Nevada State Education Association with 40,000 educators across the State. We support S.B. 167. I have submitted written testimony ([Exhibit H](#)).

ED GONZALEZ (Clark County Education Association):

The Clark County Education Association (CCEA) supports S.B. 167. Some of the schools will need some help financially with the school gardens and the appropriation will help.

I want to share how much more can go into this type of project. On the grounds of my former high school, Venice High School in Los Angeles, there exists a one-acre project known as The Learning Garden. The garden is not an official community garden but rather an educational lab open to the community.

Gardeners from a local elementary school and the University of California, Los Angeles Extension mix with the Venice High School gardening club and students from Yo San University of Traditional Chinese Medicine and Emperor's College of Traditional Oriental Medicine. Not only the local elementary school is involved, but higher education as well.

CHAIR DENIS:

Are there others to speak in support of S.B. 167? Is there opposition to S.B.167? Is there any neutral testimony on S.B. 167?

JIM R. BARBEE (Director, Department of Agriculture):

We are neutral on S.B. 167 because it is outside the Governor's recommended budget. Clearly, this bill follows the mission and the goals we have at the NDA in terms of nutrition education and agriculture literacy.

We do have different production levels within the State. In the north, you see a lot more fall and spring root production type agriculture and often it is done in a different kind of growing environment. It can be done with hoop houses and things like that, without a tremendous amount of investment. The gardens have been very successful.

To clarify some earlier comments, there are tremendous agriculture education programs at the secondary level. They include State standards in agriculture that are approved by the State Board of Education in animal science, floriculture veterinary science, natural resources and wildlife management, ag mechanics, ag science, ag business, ag communications and plant science and ornamental horticulture. There is a robust ag education program and the FFA is the leadership development component of the program.

These programs will be beneficial to students. Even before the food and nutrition programs were merged in 2013, the NDA had been engaged in the school garden programs in the State. We are supportive in any way we can to improve ag literacy and help the agriculture workforce. We have been a growing industry in the State of Nevada at \$2.7 billion in economic activity and over \$300,000 in agriculture exports this last year.

CHAIR DENIS:

Are there others who would like to testify neutral on S.B. 167? I will close the hearing on S.B. 167. We will now hear the iNVEST in education presentation.

MR. SKORKOWSKY:

I am president of NASS this year. We are here to present our biennial iNVEST in education plan for 2017.

The superintendents came together in 2003 to present the first iNVEST plan to Nevada Legislators. The impetus of that was to gather together and talk about the commonalities we have in Nevada and how we can be successful in pushing forward to ensure the students in our rural, urban and suburban schools get the best education possible.

In January 2016, we began to work on the premises of our iNVEST plan. We gather and talk about the major initiatives we have to work forward. I want to acknowledge all of the superintendents who are united and working together with a shared mission, vision and values to support education in this State.

At our monthly meetings, we focus not only on the education in the State of Nevada, but national issues. We work directly with the NDE to help solve those issues and move our own education forward in each of our counties.

The iNVEST in education was supported by every superintendent in the NASS as well as supported by the Nevada Association of School Boards' Executive Committee and a majority of our school boards in the Nevada Association of School Boards.

Each Committee member has received a copy of our iNVEST in education booklet that outlines our 2017 priorities ([Exhibit I](#)).

As we talk about our priorities, we will first discuss the conversion to a weighted school funding formula. We understand this is not the Finance Committee. However, we understand finance and education go hand-in-hand. Some of the best return on investment dollars are started here in the Senate Committee on Education.

We talk about the categorical in the 78th Legislative Session and how we are so appreciative. We want to talk about how they have truly jump-started some of the work of the weighted-funding formula.

When you look at the funding provided for special education students, we know there is not enough from the State and not enough from the federal government. Each district has to support the education funding of our special education students. In Nevada, we take \$361 million from the General Fund to support special education.

We all have English Language Learners (ELL). Across the State we have ELL students that need support. They are not just in the population of southern Nevada or in Washoe County. We have students living in poverty in every aspect of the State and we also have Gifted and Talented Education (GATE) in the same spectrum. Between the 77th Legislative Session and 78th Legislative Session, the Interim Committee focused on establishing weights. We know it costs more money to educate our students who are fitting into these categories.

We appreciate the work of the Interim Committee in establishing the weights and moving forward. Senate Bill No. 508 of the 78th Session began the work of identifying weights in special education and moving forward with the long-term goal of having all weights identified by the 2020-2021 school year.

We are working on how to convert our funds and categorical to work toward that piece of a weight. The NDE has worked closely with us in the CCSD to figure out how we do this not only for the CCSD students, but also for students across the State where education is a priority.

DAVID JENSEN (Superintendent, Humboldt County School District):

We are aware Nevada ranks at the bottom of all the educational comparisons. This also includes educational funding. As we work to meet the vision that has been articulated by our State Superintendent of Public Instruction, Steve Canavero, to be the fastest improving state in the Nation, funding will be a critical conversation to this objective.

It is our understanding that Nevada's funding formula comes through the Nevada Plan for School Finance. The Plan was established in 1967. Beyond some initial modifications, the Plan has remained the same over a 40-year period despite the substantial changes that have occurred in our State over that 40-year time frame.

In 2013, the Legislature put a committee together called the SB 500 Committee. This Committee introduced a weighted distribution model that provided additional categorical funding for certain categories of students throughout our State. We are grateful for the categorical funding and want to share with you the profound impact those funds are having in our individual districts and through the State as a whole.

At the same time, it is important we take a look at post-recession, base per pupil funding allocations that are distributed through the Nevada Plan and give consideration to ensuring we keep pace with inflation. Why is this so critical?

The funding that comes to the individual school districts through basic support or the Distributive School Account (DSA) is what turns the lights on in the classrooms, puts gasoline in our busses and ultimately funds the teachers in our classrooms.

Every iNVEST document that has been generated since 2003 has said funding is the base as a critical component. We would ask for your continued support and consideration of that fact.

As we look at the overall national average based upon 2013 data, the national average for our per-pupil funding was \$10,700. For the fiscal year 2018, the Governor-recommended level for the State of Nevada, is \$5,900.

We have room to improve and recognize this is a process and nothing occurs overnight. As we work as a unified group to move forward, we believe we can accomplish that.

The next area is to preserve current funding sources. One key area of education funding comes through property taxes as we consider the Nevada Plan. The Plan includes local taxes as a strong component of the foundation of funding for education. Unfortunately, some of our recent legislative decisions have had an impact.

As individual districts, we are one of the biggest advocates along with you on bringing in new businesses and industry into our State. It makes a profound difference.

One of the things I know you have heard and we hear frequently, is that the workforce pool is weak in Nevada. As a result, some of those key businesses and industries that we hoped would come to Nevada have not come to our State.

We need to do better as an education system. It is one of our goals to ensure that we have a twenty-first century workforce ready to entice and bring in any business that is interested in coming to our State.

In 2016, abatement caps put in place during the 73rd Legislative Session have reduced available funds for public services including schools by \$700 million. The secondary cap, which is based on the consumer price index, has provided little growth in property tax revenue over the past year while the rapid expansion and growth in Washoe County and Clark County continues to increase.

Fiscal year 2017's unexpected drop in property taxes will create a larger than expected funding gap for not only municipalities, but for school districts as well.

We would ask the Senate Committee on Education to revisit the tax gap issue and institute inflationary factors to restore ad valorem revenues for districts and municipalities. This will provide a critical revenue stream that will allow us to more effectively meet the needs of our students and prepare a twenty-first century workforce.

RICHARD STOKES (Superintendent, Carson City School District):

I moved to Nevada in 1995 to be the principal at Mineral County High School in Hawthorne. Mineral County was going through one of Nevada's booms. In 6 years, there was the bust cycle, and our small school district with approximately 1,400 students decreased by half in 3 short years. Sadly, as a result of that economic downturn, we saw quality people, programs, and resources that were lost.

I relocated to Carson City in 2001. In 2008, I, along with many of my colleagues, began to see economic indicators that resulted in the Great Recession. It not only impacted schools, but many public agencies. Again, we experienced the loss of people, programs and resources.

After 10 years of tough economic times that have changed all of Nevada schools, the superintendents would like to propose that a system of funding occur that would help us to establish a Rainy Day Fund. This Fund would help to stabilize the economic ups and downs that occur in our State.

We recognize when bad times occur and budget cuts have to be made. However, in good times, monies that are generated for the purpose of education

are reverted back to the State's General Fund. We, superintendents, are requesting those funds that are established for education might be retained in a fund that would allow us to accumulate up to 10 percent of the annual DSA revenues.

Currently, those State revenues that exceed educational obligations are reverted to the State's General Fund. The education stabilization fund would help to ensure critical educational programs could be maintained through these economic downturns.

Of interest, since 1979 more than \$700 million in State funds designated for education have been reverted back to the State's General Fund. A rainy day fund or stabilization fund would help the educational processes in the State have a softer landing if we experience another economic downturn.

MR. JENSEN:

Our next topic is to improve and expand school facilities. One of the key expectations of the superintendents is ensuring a school environment that is safe for every student and staff member while ensuring the expectations of the twenty-first century learning environment are provided. This requires a modernization of our K-12 systems that are not possible without additional funds for our schools' facilities. These modifications are going to be essential as we work to ensure that we generate a workforce in our State. The median age of Humboldt County's 11 school buildings is 58 years. Our newest building was built in 2000.

The majority of our facilities across the State were constructed when there was no thought of the safety issues we face now or the utilities to accommodate electrical strain with computers and technology. There is a long list of issues. This becomes essential as we continue to make sure these buildings are adequate and safe to meet the needs of our students.

White Pine County, in particular, lacks any type of bonding capacity. As they deal with their facilities, they lack the ability to even go to their constituents and ask for support.

We want to make it clear that we thank you as a Legislative Body for your hard work and dedication during the 78th Legislative Session. Your efforts provided a significant benefit especially for both the CCSD and the WCSD.

Over the next ten years, it will provide billions of dollars to help support the construction needs of those districts. Thirty-five new schools will be built, additional classrooms and improvements in many older schools will be done in Clark County as the result of \$4.1 billion. The WCSD estimates \$315 million in revenue to repair and restore aging facilities.

In Humboldt County, we have a rollover bond with a 10-year extension that will allow us through 2028 to generate a revenue stream to support the needs of those aging facilities in our district.

Humboldt County receives 13.5 cents per \$100 assessed valuation that provides my school district with approximately \$1.2 million annually to try to meet the needs of these aging facilities.

At this point, it meets that adequacy. We are concerned that as our facilities continue to age will that amount be sufficient. One recommendation from the NASS in our iNVEST in education document is to give consideration to improving and expanding school facilities.

TRACI DAVIS (Superintendent, Washoe County School District):

An important initiative for all districts has been to increase the teacher pipeline. Undeniably, we know teachers make the most impact and difference in the lives of students.

As each district continues to fill its vacancies, there needs to be an enhancement and an expansion of the recruitment incentives to attract the best possible candidates for our students. There is a national shortage of teachers. Students are not entering the educational field to teach.

If we want to be competitive, we need to put the best and the brightest teachers in front of the students in Nevada. For most of the districts, we are excited to report this initiative has helped us to reduce vacancies in a variety of areas. We need these incentives to be approved earlier.

Each of the districts is recruiting teachers for the next school year. However, if the iNVEST plan is revised, we will be nearly one year behind with our recruitment efforts for the money assigned to it.

While we discuss paying Nevada teachers more and a competitive wage, that cannot happen unless we fund the base adequately. We pay teachers out of our base.

We all agree that the most precious resource we have are the students who walk through the variety of schools across our State. We must ensure we have the necessary personnel to continue the current academic gains.

We have had a historical graduation rate and that continues to happen in spite of many things. We know if we place highly qualified teachers in front of kids, we can maintain a successful graduation rate.

WAYNE WORKMAN (Superintendent, Lyon County School District):

A world-class education for Nevada students begins with highly effective teachers, administrators and support staff. Their effectiveness is directly linked to ongoing professional development and training. The past few legislative sessions have introduced a multitude of new mandates and opportunities for school districts. We respectfully request two additional professional development days. They would be instrumental in ensuring compliance with these mandates and opportunities.

Some of these mandates and opportunities include: read by grade 3; safe and respectful learning environments and social emotional learning; college and career readiness; Statewide student information system known as infinite campus; State uniform grading systems and standards based grading; and personalized learning environments. The mandates continue with State mandated assessments; Nevada educator performance framework; EpiPen implementation; Nevada Ready 21; family engagement strategies; new curriculum and/or standards alignment and sexual harassment prevention.

Additionally, districts conduct regional professional development program (RPDP) trainings regularly that are based on education research and best practices. They include, and are not limited to: STEM initiatives; ELL and special education best practices; school improvement plan development and implementation; teachers/administrators leadership training; professional learning

community protocols; literacy beyond Grade 3; best practices for teaching with technology and/or one to one initiatives; and effective instruction/teacher quality.

The RPDPs are crucial to the success of smaller districts in Nevada. Rural districts have no staffing or budget for professional development and the rural districts rely heavily on RPDPs to help roll out State initiatives, effective instructional practices and teacher improvement.

In many districts, the RPDPs provide administrator training on supervision, effective instruction, and educator leadership, including the implementation of the State mandated Nevada Educator Performance Framework.

Many districts have an RPDP staff member assigned to the district for teacher mentoring, new teacher development, and teacher effectiveness training and support.

The RPDPs in many cases are the sole support for Read by Grade 3 implementation, next generation science standards, STEM initiatives and other curriculum initiatives associated with required State assessments.

We are grateful for your continued support of the RPDPs and we appreciate your consideration for two additional professional development days for school districts.

MS. DAVIS:

We want to share our appreciation for the innovative reforms this year with Victory Schools, Zoom Schools, Read by Grade 3 and Nevada Ready 21. These reforms are making a significant difference in the lives of the children in Nevada to make the State one of the best and brightest.

We talk about having record graduation rates and this does not happen by chance or luck. The work happens in the schools. The work has happened because of the thoughtfulness of these initiatives by the Legislature. These initiatives have helped to make us successful. It is our goal to continue to be successful for all children with these initiatives.

MR. SKORKOWSKY:

We have an amazing partnership with the NDE to make these initiatives work

and have worked hard over the past 20 months. Not only to implement all of the new innovations from the 78th Legislative Session, but also to prepare for the 79th Legislative Session to become the fastest improving state in the Nation when it comes to education.

In many areas, we are already doing that. An advance announcement went out last week. Nevada is the fastest in improving in first-year and third-year growth for the Nation.

No one parent can necessarily make a difference with every child, but every parent can make a difference with his or her own child.

All of the State's superintendents who are here today and the four who could not attend, but are here in spirit, are unified to say education is the essential key to economic development in Nevada.

We know we have the major lion's share of the work to do. As we go forward, I would like to quote John Dewey: "What the best and wisest parent wants for his own child, that must the community want for all of its children."

SENATOR SPEARMAN:

I appreciate the work all the superintendents and all of our teachers are doing in our State. I know we need to fund schools better and somehow we must find the money to do this.

A favorite quote of mine is: "You cannot send a world class surgeon into the operating room with a can opener and be disappointed with the results."

In many ways , that is what we are asking each of you to do; more with less. Each time we say more with less, you are doing a yeoman's job of trying to meet that bar. Thank you: education is important.

CHAIR DENIS:

As you were giving us this presentation, I saw several bills we will have for this Session. Many of us are on the same wavelength when it comes to education.

We want to help all of our kids in Nevada. We appreciate all the great work and sacrifices all the teachers, administrators and school staff make to benefit our students across the State with the resources we have given them.

I will open the hearing on Assembly Bill (A.B.) 24.

ASSEMBLY BILL 24: Revises provisions governing the tuition charges assessed against certain students within the Nevada System of Higher Education. (BDR 34-165)

CESAR MELGAREJO (Veterans Policy Analyst, Office of the Governor):
I have submitted an overview of Assembly Bill 24 ([Exhibit J](#)).

The Nevada Board of Regents is very inclusive and receptive of veterans' concerns, but as I mentioned previously, the veterans' community feels that inclusion in *Nevada Revised Statutes* (NRS) speaks highly to the entire State's efforts in caring for our veterans and their families.

CHAIR DENIS:

We will now hear from those in support of A.B. 24.

BRUNO MOYA (University of Nevada, Las Vegas Rebel Veterans, Iraq and Afghanistan Veterans of America):

I am a University of Nevada, Las Vegas graduate student and lead for Iraq and Afghanistan Veterans of America (IAVA). The UNLV is home to 1,780 student veterans and IAVA has 62 members.

Assembly Bill 24 is important to us because it allows dependents who receive the Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship) to have their out-of-state tuition waived. Imagine for a moment, you are a dependent whose wife, husband, father or mother was killed in the line of duty. Your family has given the ultimate sacrifice.

In 2003, I deployed to Iraq for Operation Iraqi Freedom and our unit sustained some casualties. Staff Sergeant James Cawley was one of them—killed in action on March 29, 2003.

He is survived by his wife Miyuki; daughter, Keiko and son, Cecil. Miyuki, Keiko and Cecil gave the ultimate sacrifice. Keiko and Cecil were very young when their father died. If they decide to use their Fry Scholarship in Nevada, they will have surpassed the five-year period to be waived for out-of-state tuition. They have lived a full 14 years without their father. Yet, we give them a 5-year pass.

This tuition waiver will cost the State nothing. It will not impact tuition nor will it affect anything adversely. It will attract families like the Cawleys to move to Nevada, because in Nevada we take care of our veterans, as stated by Governor Sandoval in his State of the State address.

We should include widows and orphans. I support A.B. 24.

RICHARD CARREON (President, Nevada Veterans Association):

I would like to echo the words of Mr. Moya. There are other implications of A.B. 24 in regards to active duty service members now serving in Nevada. Most of these service members reside and/or work at Creech Air Force Base, Nellis Air Force Base or other installations. This also includes recruiters who are nearing retirement and may look elsewhere if A.B. 24 is not pushed forward.

I remember as an active duty soldier and non-commissioned officer, the push was to have service members under my charge be college-educated for both their personal and professional development.

Assembly Bill 24 will assure that service members currently serving in Nevada will have the in-state tuition and would not cap-out their tuition assistance. Depending on the higher education institution, the student may or may not be able to cover extended costs and may have to wait until the following year.

I urge you to support A.B. 24.

CHRISTOPHER D. BROWN (Director, Veterans Affairs, College of Southern Nevada):

My name is Christopher Brown and I currently serve as the Director of Veterans Affairs at the College of Southern Nevada (CSN). I have submitted my written testimony ([Exhibit K](#)).

KEVIN BURNS (Chairman, United Veterans Legislative Counsel):

The United Veterans Legislative Counsel (UVLC) is the umbrella group over all the national veterans service organizations within Nevada. We were elected so we could come forward with one unified voice from the veterans' community. There are 300,000 of us in all districts.

During the day, I run the Veterans Resource Center for Western Nevada College (WNC). I have had to look some of the men and women in the face and say, "I am sorry, we are charging you out-of-state tuition."

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Even at a small school such as WNC, the difference between out-of-state tuition and in-state tuition is substantial. In-state tuition, which the Veterans Administration would pay, is \$1,500 per semester. Out-of-state tuition is \$4,500 per semester which means a family must come up with an additional \$3,000.

The UVLC enthusiastically supports A.B. 24 for all of the reasons you have heard in previous testimony.

LUIS F. VALERA (Vice President, Government Affairs and Compliance, University of Nevada, Las Vegas):

Mr. Moya has crystallized what I would have said. The University of Nevada, Las Vegas is proud to be in support of A.B. 24.

CONSTANCE BROOKS (Vice Chancellor, Government and Community Affairs, Nevada System of Higher Education):

The Nevada System of Higher Education is in full support of A.B. 24. This bill is aligned with current Board of Regents policy and we could not be happier to be part of the welcoming team in Nevada that would welcome our veterans back and allow their families to attend our institutions at a lesser cost.

JAMES CAMPOS (Senior Advisor, Economic Development and Business Outreach, Nevada State College):

I represent Nevada State College and am here to show my support for A.B. 24.

CHAIR DENIS:

Is there further support for A.B. 24? Is there opposition for A.B. 24? Is there neutral testimony for A.B. 24? We will close the hearing on A.B. 24 and open the hearing on S.B. 224.

SENATE BILL 224: Requires cameras to be installed in certain classrooms and other locations within a public school which are used for special education. (BDR 34-477)

SENATOR BECKY HARRIS (Senatorial District No. 9):

I am here today representing Senatorial District No. 9 in Clark County and to present S.B. 224.

No matter what we do when we are out in the community, chances are we are being recorded by some type of camera or surveillance device. It could be a formal security system in a business, a camera at a roadway intersection or by an innocent third party who is on the street, at the park or in a restaurant where we are as they use the camera function on their phone. However, we do not have such surveillance or opportunity to see what is going on in a classroom. Especially in a non-verbal, segregated special education classroom where sometimes events happen that lead to concern. Unfortunately, suspicions arise and questions remain unanswered.

A segregated special education classroom is different from a typical classroom. Its students are highly vulnerable and often lack the cognitive or verbal skills necessary to communicate what is going on and what situation they are encountering in the classroom.

The federal government does not report how many children are involved in an incident in a special education classroom each year. However, it does monitor the number of students who are restrained in some format or are secluded in a school.

According to the United States Department of Education, students with disabilities make up approximately 12 percent of our nation's student population. Yet in the 2014 school year, students with disabilities accounted for 67 percent of all incidents of restrainer seclusion, more than 5 times the rate that one would expect.

It is my opinion that in the next few years we will see more and more states move to have cameras in the classroom and state how the cameras are to be utilized. Two years ago, Texas passed a bill requiring cameras in their special education classrooms.

In November 2016, Lyon County School District in Nevada authorized the use of cameras in the classroom as part of a safe system for audio enhancement. The system serves to amplify the teacher's voice as he or she speaks through a microphone and allows the teacher to activate a camera in an emergency situation.

In Lyon County, the camera is not consistently running. It is manually activated when the teacher presses an alarm button which triggers a silent alarm and engages the camera.

Senate Bill 224 will help protect children with disabilities and it will help protect teachers because it will document what is happening inside the classroom.

In testimony today, you will hear from a teacher's aide in Clark County who is certain if there had been a camera in her classroom, she would still be employed.

We will now take a closer look at S.B. 224. We also have a friendly amendment. The camera will be located only in the classroom and not in another location within the school.

Senate Bill 224 requires the installation, operation and maintenance of one or more video cameras in each public and charter school classroom if a majority of the students in attendance receive special education services and have speech and language impairments or if the students are assigned to the classroom to receive special education for at least 50 percent of the instructional day.

The bill also includes certain requirements in order to operate such video cameras. These include providing necessary training to teachers and employees assigned to a location within the school where a video camera is installed; ensuring restricted access in use of that recorded material; and providing written notice of the video camera to each person or each person's parent or legal guardian likely to be recorded.

Cameras are pervasive in our lives and they serve a useful purpose. It is important we take the time to have this conversation on how we can appropriately and effectively utilize this technology in our classrooms.

In just a few years, it will be a common part of a classroom. I am hard-pressed to think of an environment where such protections are more justified than in our special education classrooms.

I urge you to join me in supporting this common sense legislation to protect our most vulnerable children.

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CHAIR DENIS:

Do you want to record both video and audio?

SENATOR HARRIS:

Yes. It is to record both video and audio in a classroom. I have been working with the CCSD and the CCEA. The CCSD has a proposed amendment that I consider to be friendly.

CHAIR DENIS:

We will now hear from those who are in support of S.B. 224.

BRAD KEATING (Clark County School District):

I am representing the CCSD and we are in support of S.B. 224 and its quest to ensure the safety of our non-verbal students by including cameras in certain classrooms throughout the State.

After working closely with Senator Harris, the CCSD has submitted a friendly amendment ([Exhibit L](#)). There are some things yet to be worked out. For example: to determine what type of equipment is needed; the exact cost of the equipment; and the number of classrooms the cameras will be installed in.

The CCSD feels the bill goes a long way in protecting our students and staff. For the record, the CCSD's current camera system is capable of storing footage for up to 22 days. If the bill moves forward with the proposed 60-day period you see in the amendment, we will need to figure out how to upgrade our systems and there would be some costs to accomplish this.

I would like to thank Senator Harris for working closely with the CCSD to address our initial concerns. We are in agreement of the bill as it supports our staff and protects some of our most vulnerable students. We look forward to continuing our work together.

OLIVIA ESPINOZA (AzulBlue: United by Autism):

My name is Olivia Espinoza and I will speak English as best I can. I am representing AzulBlue: United by Autism. We are around 150 families with children who have autism.

I am here as a mom of my son, Matthew. Every parent asks his or her child what is going on at school. I do the same with my child. I do not receive an answer. He cannot speak.

It is hard for me to see what is going on at school. I know many parents who have the same concerns. Some of them are here today. Some of the parents are not here for the time is hard for them.

I have brought some written testimonies from those who could not be here today and I will forward these testimonies to the Senators in Carson City.

We need to consider and now soon about the technology. We have cameras everywhere. We have cameras here in front of me. I think the children need respect. The schools need those cameras, too.

Thank you, and I support S.B. 224.

MARIANNE C. LANUTI (Lanuti Legal Services):

I am an attorney and I represent special education students in the CCSD. I have represented students for 20 years.

I have been fighting for cameras in special education classrooms since 2004. I do know about the subject matter.

During an academic school year, I have parents call me and they either believe or suspect there has been abuse in the classroom. They pick up their child from school and the child has bruises. Some have broken bones and some require medical attention.

Yet, there is nothing forthcoming from the school district. There is not a reasonable explanation and sometimes they are told there will be an investigation, but nothing of substance happens.

The parents come to me and say, "Ms. Lanuti, what do we do? I want to send my child where it is safe and protected, but I do not have reasonable assurances. Yet, if I do not, Child Protective Services and the truant officer will be knocking at my door." The parents are placed in a *Sophie's Choice* situation. This is wrong.

We have cameras in our parking lots to protect our vehicles and vehicles can be replaced. Yet, we do not protect our most vulnerable, our children who are disabled.

I appreciate Senator Harris' efforts. Senate Bill 224 is the answer. It will protect those who are innocent, staff and children alike, who deserve protection.

VALERIE MARTINI:

My name is Valerie Martini and I worked as a teacher's aide at a Title I middle school. I want to share with you my experiences as an aide.

I worked with resource students, autism and severely emotionally disturbed students. I witnessed behaviors for which I was not trained.

These students would throw various objects at each other, run in and out of the classroom, walk on tables and often use racial slurs. I was thoroughly afraid of being hit by a flying object. I probably set the record for writing incident reports.

One day I witnessed one student slap another student in the face. As soon as the student who had been slapped ran out the door, I followed him.

Immediately after I left the classroom the student who had done the slapping began to overturn file cabinets, tables and chairs.

I support S.B. 224. It would protect teachers, aides and students. It would create a safer environment.

THEODORE SMALL (Vice President, Clark County Education Association):

The CCEA is in support of S.B. 224. We support the amendments from the CCSD and appreciate working with the CCSD and Senator Harris.

This conversation is about trust between a child/student, the child's parents and the teacher or staff member in the child's classroom. After hearing about this legislation, I have visited approximately 20 schools talking to approximately 2 dozen teachers who this bill would impact.

How teachers feel about S.B. 224 ranges from liking and knowing the bill will support them to teachers having a lot of fear about retaliation with having cameras in the classroom.

I am hoping to address a few considerations with the sponsor as the bill goes forward.

The first item is the evolution of where this bill could be. There is a lot of fear that it could expand and be punitive for people who are working for the most vulnerable students.

There is an increased concern about the amount of incidents and the workload it would add to the staff to both administrators and teachers, support and other licensed professionals.

The biggest concern is around the special education vacancies we have in the CCSD. The majority of our vacancies are in special education. They are also our newest to profession teachers going through the alternative route to the licensure program.

The retention of special education teachers is a concern. I have talked to a few teachers who felt if the bill was to pass, they would choose to go to another position in the CCSD outside of working with the students they work with now.

Today, I visited two high-needs schools where S.B. 224 would impact every classroom in the school. There are four specialized high-needs schools including the two I visited today in Clark County.

The schools I visited today wanted to make sure I invited Senator Harris to come to their schools and see the work they perform every day. I extend the invitation to you today, Senator Harris.

LUIS VILLALOBOS:

I am a parent of an 11-year-old non-verbal child. I would like to thank the Committee and Senator Harris for giving me the opportunity to speak our concerns about our children. I will speak my best English.

One day, we had a call from school that my son was abused—a victim by the teacher. Unfortunately, later on, we found out the teacher was arrested and removed from the school.

Until now, we have not heard what really happened. I ask my son every time. I look into his eyes and I say, "What happened? If you could tell me what happened to you on that day."

Not only on that day, but all those previous days because I do not think that happened only one time. Unfortunately, I will never hear the answer from him because he cannot speak on his own. There is no way we can find out what really happened in that classroom.

I believe cameras will be a great opportunity not only for a safe environment for the children, but a great opportunity to show the great job a lot of teachers do for our children. I am not here to judge the teacher. I am here to give the opportunity for the entire community to protect our children and the teachers as well.

Sitting behind me today are a bunch of parents that are willing to speak out on behalf of the children, but unfortunately they only speak Spanish. I am here representing them. We have testimonies. We hear of cases every single day.

This is a great opportunity to show a great environment for children and teachers. I support S.B. 224 and thank you for taking the time to hear us.

By the way, there is a parent here that just said to me, "Luis, I would like to say something, but I do not speak English. Can you translate for me?" I am asking you if we can do that as well.

CHAIR DENIS:

Yes, I am okay with that.

LUZ ELENA GARCIA:

For the record my name is Luz Elena Garcia. My son was three years old when he was beat up on his face, arms, ribs, and bit on his arm. I couldn't prove anything. This is what really happened.

What I got from the school was a single sheet of paper that said he hit himself. My son could not tell me what happened because he was only three years old and non-verbal.

The case did not proceed because I do not have a witness. I am asking you please listen to us and put cameras in the classrooms so we can defend our children. Thank you very much.

CHAIR DENIS:

Thank you. For the parents that are present, we understand that you may not speak English, but we are receiving the messages you are bringing. The fact you are here today is very important for us to be able to hear your concerns. Thank you for being with us.

STACY MENDOZA:

My name is Stacy Mendoza and I am here with the parents. I support S.B. 224.

JOHN VELLARDITA (Executive Director, Clark County Education Association):

I am representing the CCEA and the 18,000 licensed professionals. I am in support of S.B. 224.

I appreciate the work of Senator Harris to engage our organization around this complicated and emotionally driven issue. There is always a lot of anxiety when we talk about cameras on folks. What this bill addresses is captured in section 1, subsection 7 and subsection 8, paragraphs (a) through (e).

For the record, I want to make clear what it says in section 1, subsection 7. It essentially says that anybody in the video has to give written consent if the video is going to be used.

In section 1, subsection 8 is the exception to that. There are triggers to the exceptions in section 1, subsection 8, paragraphs (a) through (e).

The first trigger is in paragraph (a) that allows the video can be released to a parent or legal guardian or an employee of the school where the recording has been made if there has been a complaint filed with the NDE. There must be a complaint filed before paragraph (a) triggers.

The second trigger is paragraph (b) that states an employee from the NDE can have access to the video.

In section 1, subsection 8, paragraph (c) it says the video can be released to an agency which provides child welfare services as defined in NRS 432B.030 as part of an investigation of a report concerning the abuse or neglect of a child

Paragraph (d) of that same section and subsection is about releasing the video for a criminal investigation to a police officer.

Finally, in paragraph (e), it ends with a parent or legal guardian of a pupil who appears in the recording, for use in a legal proceeding.

We are comfortable with the language. This is a bill that protects the most vulnerable, particularly those non-verbal, and it is a growing population of students. In our opinion, it also gives the needed protection for the staff.

We also support the amendments as presented by the CCSD and we look forward to any further input people may have on this bill.

This is a good bill and we think it is overdue. Again, this is a very complicated and emotionally driven issue.

CHAIR DENIS:

Are there others who wish to speak in support of S.B. 224? Anyone to speak in opposition of S.B. 224? Anyone to speak in a neutral position?

ANGIE SULLIVAN:

My name is Angie Sullivan and I am a second grade teacher. I am in a neutral position. I am glad Senator Harris has been working with my union on this issue. I have some concerns and always have concerns when kids are involved.

I understand parents have a need for communication and also have a real need to know what is happening in the classroom. Especially, if their child has special needs, cannot speak or defend himself or herself.

My concerns are the number of students who could possibly be on film. For example, I have an autistic student in my classroom with a speech impairment; a selective mute in my classroom who can speak, but it is very difficult for her; and also a couple of severely emotionally disturbed kids that are fully included in my classroom on a regular basis.

As I am understanding the bill, as a regular education teacher, I would also have a camera in my classroom because those kids do 50 percent or more of their day with me even though they have resource services and things like that.

These mentioned students are not the majority of my classroom so that would mean all my other students would be filmed. How much filming is done?

I am glad there are some triggers in the bill. I think these are important things to be included. I am concerned this could be used as a weapon against kids.

These children are juveniles. I am concerned this could be on tape and used inappropriately for people who under 18 years old. Until they are adults, we need to give them plenty of chances.

Bad behavior could be filmed. Even on camera, things can happen that could look worse than they are. I am worried this might abuse kids.

I am worried for parents who do not know about the filming. There could be a video of their child exhibiting bad behavior. I am not sure what kind of criminal ramifications that could have for families and children. I have many concerns.

I am grateful people are listening and we are having this discussion. Parents need to feel comfortable. I am saddened when I hear stories of parents who do not know what is happening in their child's classroom or a parent that has had a question that was not dealt with appropriately.

I have been an inclusion teacher for years. I am looking at this as a regular classroom teacher who would also be filmed and other kids who may not be the individual that needs to be filmed.

SENATOR HARRIS:

For a camera to be in a classroom, the class must be 51 percent non-verbal special education students. Your classroom would not be impacted by S.B. 224. In terms of being able to utilize the video in the manners in which you described, this is not possible because of sections 7 and 8.

When the video is used, it can only be used in certain instances as described in section 1, subsection 8, paragraphs (a) through (e). There would not be a way

for other students to get the video to use it to sabotage another student in the classroom.

There has been a lot of thought and conversation to make the bill neutral. The bill is providing protection for vulnerable students and protections for teachers. Those protections were discussed at length over several months in terms of due process issues, privacy requirements, how the video can be used and what triggers to include.

We are specifically looking at non-verbal special education classrooms because those children do not have a voice and their parents are not able to advocate for them.

Ms. ANDERSON:

I am representing the WCSD, and we are in the neutral position on S.B. 224. I appreciate Senator Harris working with me and the amendment brought forward by the CCSD. We like where the bill is going.

I am unable to support a bill with an unfunded mandate. From a policy perspective, we are doing some research in our district to see how many classrooms this would impact and what kind of technology is required. This is a large undertaking. We are still doing our research and appreciate being part of the team working on this issue.

Ms. PIERCZYNSKI:

I am representing the NASA. We appreciate the protection spirit of the bill. Many administrators have additional questions which include cost and the difficulty with storage for 60 days.

We look forward to working with Senator Harris and having our questions answered. Perhaps there could be mass purchases across the State to help with our cost concerns.

CHAIR DENIS:

Is there further neutral testimony for S. B. 224? Anyone wishing to give public comment?

MS. ROURKE:

Twenty-three of the CCSD Magnet schools are recipients of 24 Magnet Schools of America (MSA) Merit Awards for 2016-2017. Nine Magnet schools were awarded Schools of Excellence and 14 schools were awarded Schools of Distinction.

The MSA School of Excellence Award is the top merit award category given to a select group of Magnet schools across the nation that have demonstrated the highest level of excellence in all facets of the merit award application.

The Magnet School of Distinction Award, is the second highest level of awards given to Magnet schools that have met all the basic requirements outlined in the MSA's merit awards scoring rubric.

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If there is no further comment or further business, the meeting is adjourned at 5:57 p.m.

RESPECTFULLY SUBMITTED:

Shelley Kyle,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	9		Attendance Roster
S.B. 167	C	1	Senator Patricia Farley	Proposed Amendment
S.B. 167	D	6	Senator Patricia Farley	Written Testimony
S.B. 167	E	2	Ciara Byrne / Green Our Planet	The Outdoor Garden Classroom Program
S.B. 167	F	21	Ciara Byrne / Green Our Planet	Green Our Planet Presentation
S.B. 167	G	1	Nicole Rourke / Clark County School District	Letter of Support / Desert Oasis High School Garden
S.B. 167	H	1	Chris Daly / Nevada State Education Association	Letter of Support
	I	12	Pat Skorkowsky / Nevada Association of School Superintendents	Presentation iNVEST in Education
A.B. 24	J	3	Cesar Melgarejo / Office of the Governor	Written Testimony
A.B. 24	K	5	Christopher Brown / College of Southern Nevada	Written Testimony
S.B. 224	L	1	Brad Keating / Clark County School District	Conceptual Amendment